

**Notice of Allowability**

Application No.

09/900,724

Examiner

Jennifer Liversedge

Applicant(s)

SQUYRES, JAMES GATELY

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/14/2006.
2. ☒ The allowed claim(s) is/are 1-5, 7-11 and 13-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**FRANTZY POINVIL**  
**PRIMARY EXAMINER**

*Au 3692*

## **DETAILED ACTION**

### ***Response to Amendment***

This Office Action is responsive to Applicant's response filed December 14, 2006.

### ***Allowable Subject Matter***

Claims 1-5, 7-11 and 13-42 are allowed. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

The following is an examiner's statement of reasons for allowance: the prior art fails to teach or suggest the limitations of the independent claims.

Independent claim 1 discloses a method for evaluating an investment portfolio comprising accessing data for a plurality of companies in an investment portfolio; fiscally realigning the data by converting a fiscal period for each company into a comparable calendar period, where converting includes deriving a calendar-based date for the fiscal period and realigning the financial data using the calendar-based date; calculating a set of values using the fiscally realigned data; aggregating the values to create aggregated values for the investment portfolio; creating a performance indicator as a function of the aggregated values.

Independent claim 14 discloses a method for evaluating an investment portfolio comprising accessing data for a plurality of companies in an investment portfolio; fiscally

realigning the data by converting a fiscal period for each company into a comparable calendar period, where converting includes deriving a calendar-based date for the fiscal period and realigning the financial data using the calendar-based date; calculating a set of values using the fiscally realigned data; aggregating the values to create aggregated values for the investment portfolio; creating a performance indicator as a function of the aggregated values.

Independent claim 28 discloses a method for evaluating an investment portfolio comprising identifying one of a number of holdings and a value of holdings at a predetermined time for an investment portfolio; identifying one of a number of completely new holdings and a value of the new holding at a second predetermined time for the investment portfolio; identifying one of a number of completely sold holdings and a value of the sold holding at the second predetermined time for the investment portfolio; summing one of (a) the number of completely new holdings and the number of completely sold holding and (b) the value of the completely new holdings and the value of the completely sold holdings; dividing the summed value by one of the number of holdings of the first predetermined time and the value of the holdings at the first predetermined time to produce a stability ratio; evaluating the investment portfolio as a function of the stability ratio.

Independent claim 32 discloses a method for evaluating an investment portfolio, comprising accessing data for a plurality of companies in an investment portfolio; fiscally realigning the data; calculating at least one predetermined set of values for each company using the fiscally realigned data; aggregating the at least one predetermined

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set of values to create aggregate values for the investment portfolio; and creating a performance indicator as a function of the aggregated values; identifying one of a number of holdings and a value of holdings at a first predetermined time for the investment portfolio; identifying one of a number of completely new holdings and a value of the completely new holdings at a second predetermined time for the investment portfolio; identifying one of a number of completely sold holdings and a value of the completely sold holdings at the second predetermined time for the investment portfolio; summing one of (a) the number of completely new holdings and the number of completely sold holdings and (b) the value of the completely new holdings and the value of the completely sold holdings; dividing the summed value by one of the number of holdings of the first predetermined time and the value of holdings at the first predetermined time to produce a stability ratio; and generating a multivariate analysis of the investment portfolio using at least one performance indicator and the stability ratio.

Independent claim 34 discloses a method for evaluating an investment portfolio comprising accessing data for a plurality of companies in an investment portfolio; fiscally realigning the data by converting a fiscal period for each company into a comparable calendar period, where converting includes deriving a calendar-based date for the fiscal period and realigning the financial data using the calendar-based date, excluding data for any company in the investment portfolio that lacks data for an entire evaluation period and including data for any company in the investment portfolio that has data for the entire evaluation period; calculating a set of values using the fiscally realigned data;

aggregating the values to create aggregated values for the investment portfolio; creating a performance indicator as a function of the aggregated values.

Independent claim 37 discloses a method for evaluating and comparing investment portfolios comprising accessing data for a plurality of companies in an investment portfolio; fiscally realigning the data by converting a fiscal period for each company into a comparable calendar period, where converting includes deriving a calendar-based date for the fiscal period and realigning the financial data using the calendar-based date; calculating a set of values for each company in each of the first and second portfolios using the fiscally realigned data; aggregating the values to create aggregated values for the first and second investment portfolios; creating a performance indicator as a function of the aggregated values for each of the first and second investment portfolios; and ranking the first and second investment portfolios as a function of the performance indicator.

Independent claim 42 discloses a method for evaluating an investment portfolio comprising accessing data for a plurality of companies in an investment portfolio; fiscally realigning the data by converting a fiscal period for each company into a comparable calendar period, where converting includes deriving a calendar-based date for the fiscal period and realigning the financial data using the calendar-based date; calculating a set of values using the fiscally realigned data; aggregating the values to create aggregated values for the investment portfolio; evaluating the investment portfolio as a function of the aggregated values.

The primary difference between the claimed invention and the prior art is the use of fiscally realigning data for a plurality of companies in an investment portfolio into a comparable calendar period, where the financial data is realigned using the derived calendar-based date for the fiscal period.

While the prior art discloses converting data for securities analysis (Black et al., U.S. Patent No. 6,012,042), the prior art does not disclose fiscally realigning the data based on a comparable calendar period. Instead, Black discloses a calendar in which every day is represented and data sets are made compatible by inserting data into a format that fits the periodic format of the data. The data is not realigned, but rather inserted into a calendar where it falls on the calendar.

Further, prior art shows fiscal periods with overlapping data for analysts' predictions on securities where a user may select a fiscal period as being a year, or month, etc. (Gatto, Pub. No. US 2002/0184131 A1). However, the data contained in the database is not realigned based on this selection, rather, data is shown as available.

Non-patent literature "Vertex Interactive Chosen Among Top 100 Leading Edge Supply Chain Vendors by Supply Chain e-Business" in Business Wire discloses the use of 10-K and 10-Q forms filed with the Securities and Exchange Commission. The 10-K and 10-Q forms require companies to file information on the timelines established by these forms (yearly and monthly) such that uniform data is created. However, Business Wire does not disclose the fiscal realignment of data which does not conform to a given data, rather it states when it must be filed as the SEC seeks uniformity in reporting.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at 571-272-6777. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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